

May 8, 2019

HAND-DELIVERED

Hon. Rich Fitzgerald  
County Executive  
Allegheny County Courthouse  
436 Grant St # 101  
Pittsburgh, PA 15219

RE: Hiring of new Allegheny County Public Defender

Dear County Executive Fitzgerald:

With the imminent ascension of current public defender Elliot Howsie to the common pleas bench, we the undersigned join in asking that you undertake a national search to identify and recruit the best possible replacement, and to do so via a transparent selection process. As the head of an office that represents upward of 25,000 people annually, the Public Defender plays a vital role in not only ensuring that every client receives constitutional representation, but also in promoting and helping to achieve a fairer and more equitable criminal justice system.

The County's Criminal Justice Task Force aptly recognized that under your leadership, "Allegheny County already has earned national respect as a center of excellence in criminal justice." University of Pittsburgh, Institute of Politics, *Criminal Justice Progress Report* (2018). The Report also noted, however, that "further work must be done if the county is to achieve even higher levels of fairness and cost-effectiveness, while preserving public safety." Among the areas identified by the Task Force as needing attention are:

- over-incarceration caused by overuse of monetary bail, probation periods twice as long as the national average, and lengthy court-processing times, especially around detainees;
- a stark racial disparity in the arrests of black males, which is twelve times that for white males and twice the national average; and
- the need for more diversion opportunities and sentencing alternatives, especially for people fighting mental illness.

The Report notes that despite laudable progress over the past few years, there is still "enormous potential for improvement . . . to achieve higher levels of fairness and to reduce dramatically escalating costs."

Hiring an accomplished professional with national experience in administering indigent defense programs and promoting criminal justice reform is essential if Allegheny County is to take the next step in addressing the racial disparities and other serious problems identified by the Task Force. Whether the County uses monies that were budgeted but underspent by the Public Defender's Office over the past few years or secures grant funding (which local foundations offered in 2012 for a PD search), we urge you to hire a search firm to help recruit and identify the best possible candidates, who may turn out to be local after all. But we owe it to county residents to do a robust search. We also ask that you keep the selection process open and transparent.

We stand ready to assist you and the County with the hiring process. Please do not hesitate to contact any of us if we can be of assistance. Thank you.

Respectfully,

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Sean Reese  
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